IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

WP(C).No. 16764 of 2007(U)

PETITIONER:

STNLEY ANTONY, AGED 46, S/O.ANTONY,
INIKKAL HOUSE, C/O M/S OCEAN KING HOTEL,
THOPPUMPADY, ERNAKULAM DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

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1. THE DISTRICT COLLECTOR, ERNAKULAM.

2. THE REVENUE DIVISIONAL OFFICER,
FORT KOCHI.

3. THE TAHSILDAR, KOCHI TALUK OFFICE.

4. THE VILLAGE OFFICER,
THOPPUMPADY VILLAGE OFFICE, ERNAKULAM DISTRICT.

5. THE LAND REVENUE COMMISSIONER,
OFFICE OF THE LAND REVENUE COMMISSIONER,
THIRUVANANTHAPURAM.

6. THE STATE OF KERALA,
REP.BY THE SECRETARY TO THE GOVERNMENT
REVENUE DEPARTMENT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADR SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.16764 OF 2007

DATED THIS THE 1st DAY OF JUNE, 2007

JUDGMENT

The petitioner challenges orders passed by the original, Appellate and Revisional Authorities under the Kerala Land Conservancy Act. The petitioner has no contention that the procedure prescribed under the Act and Rules have not been complied with. The only contention of the petitioner is that the land is not Government land but the petitioner's own land. That means the petitioner is claiming on the basis of title. The statutory fact finding Authorities on materials, before them have come to the conclusion that the land belongs to the Government. That being so, when the petitioner contends that the land is not Government land, the petitioner's remedy lies in filing a suit for establishing his title as saved under Section 20 of the Kerala Land Conservancy Act. Without prejudice to such right, this writ petition is dismissed.

Sd/
S. SIRI JAGAN, JUDGE

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